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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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NEVADA CHAPTER OF THE
ASSOCIATED GENERAL CONTRACTORS
OF AMERICA, INC., a Nevada nonprofit
cooperative corporation; ASSOCIATED
BUILDERS AND CONTRACTORS
NEVADA CHAPTER, a Nevada nonprofit
cooperative corporation; and NEVADA
TRUCKING ASSOCIATION, INC., a Nevada
nonprofit corporation,

Plaintiffs,

v.

MARTY WALSH, Secretary,
United States Department of Labor

Defendant.

Case No: 3:21-cv-00430-MMD-CLB

**MOTION FOR EXTENSION OF TIME
TO FILE VERIFIED PETITION AND
DESIGNATION OF LOCAL COUNSEL
(First Request)**

Plaintiffs Nevada Chapter of the Associated General Contractors of America, Inc. (“AGC”), Associated Builders and Contractors Nevada Chapter (“ABC”), and Nevada Trucking Association, Inc. (“NTA”) (collectively, “Plaintiffs”), by and through their undersigned counsel, hereby file this Motion for Extension of Time to File Verified Petition and Designation of Local Counsel pursuant to LR IA 11-2, LR 26-3, and LR IA 6-1.

1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. LAW & ARGUMENT**

3 On September 27, 2021, Plaintiffs filed the Complaint [ECF No. 1]. On September 28,
4 2021, the Court issued its Notice to Counsel Pursuant to Local Rule IA 11-2 [ECF No. 5].
5 Therein, the Court ordered co-counsel for Plaintiffs, Maurice Baskin, to comply with the
6 completion and filing of the Verified Petition and Designation of Local Counsel and ordered that
7 the Verified Petition was due by October 12, 2021. *Id.*; LR IA 11-2(e) (requiring compliance
8 with LR IA 11-2 within 14 days of the first appearance by out-of-state counsel).

9 Counsel from McDonald Carano and Littler Mendelson are working together to complete
10 the necessary documents to file the Verified Petition and complete the *pro hac vice* process.
11 Maurice Baskin is currently a member of the bar and in good standing in two states – Florida
12 and Maryland – and the District of Columbia. At present, counsel is waiting for certificates of
13 good standing from Florida and Maryland as both certificates are delivered via mail. Upon
14 receipt of the same, counsel will promptly file the Verified Petition and ensure further
15 compliance with LR IA 11-2. However, because counsel is still waiting for the necessary
16 certificates of good standing, counsel is unable to file a complete verified petition at this time.

17 Thus, Plaintiffs respectfully request that the Court issue an extension through November
18 2, 2021 for the deadline to file the Verified Petition in this matter. This request is made in good
19 faith, upon good cause, and not for the purpose of delay. This is the first motion to extend the
20 time to file the verified petition. Defendant has not been served or made an appearance in this
21 matter and thus this Motion is unopposed pursuant to LR IA 6-2.

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II. CONCLUSION

Based on the foregoing, Plaintiffs respectfully request this Motion for Extension of Time to File Verified Petition and Designation of Local Counsel be granted and the deadline to file the verified petition be extended twenty-one (21) days until November 2, 2021.

DATED this 12th day of October 2021.

McDONALD CARANO LLP

/s/ Philip Mannelly

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IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE

DATED: October 12, 2021